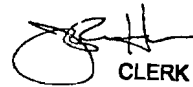


FILED

MAR 23 2010


CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA,)	CR. 09-50055-01
)	
Plaintiff,)	
)	ORDER DENYING
vs.)	DEFENDANT'S FIRST MOTION
)	FOR DISCOVERY [DOCKET 35]
CHARLES ANAYA,)	
)	
Defendant.)	

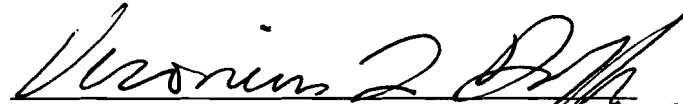
Defendant Charles Anaya moved the court for an order directing the government to disclose various materials pursuant to FED. R. CRIM. P. 16 and Brady v. Maryland, 373 U.S. 83 (1963). [Docket 35]. The court ordered the government to provide to the court a copy of any handwritten notes made by federal agents during a polygraph examination of Mr. Anaya for *in camera* review. [Docket 40].

Upon review of the notes provided to the Court by the government, the court finds there are no material differences between the handwritten notes and the typewritten summary previously provided to Mr. Anaya and attached to Docket 37. Accordingly, the court hereby

ORDERS that Mr. Anaya's first motion for discovery [Docket 35] is denied. Production of the handwritten notes by the government is not required.

Dated March 23, 2010.

BY THE COURT:


VERONICA L. DUFFY
UNITED STATES MAGISTRATE JUDGE